



# The Attorney General of Texas

June 4, 1980

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**Lee E. Holt**  
Dallas City Attorney  
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Open Records Decision No. 243

Re: Whether a police department is required by the Open Records Act to compile a list of all persons arrested under a particular statute within a stated time period.

Dear Mr. Holt:

You have requested our decision as to whether the Dallas Police Department is required by the Open Records Act to compile and furnish to the public a list of all persons arrested for and convicted of prostitution and public lewdness since January 1, 1977. You explain that the Department does not maintain such lists. You have also received a request for a list which reveals the "time, date, place and arrest number" of each person arrested for public lewdness.

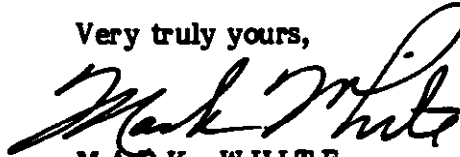
This office has long held that an agency is not required to "compile or extract... information if it can be made available by giving the requestor access to the records themselves." Open Records Decision No. 127 (1976). See Open Records Decision No. 87 (1975). In Open Records Decision No. 144 (1976), it was held:

... even though conviction information may be a matter of public record where the conviction occurred, the Open Records Act does not require a law enforcement agency to search its records and notations to disclose that conviction information in response to an inquiry by a member of the public or press.

In this instance, the arrest information may be compiled by any person who examines the daily police blotter and/or arrest sheet, which as a rule indicate the names of all individuals arrested within a 24-hour period, together with a notation of the offense charged. The daily police blotter and arrest sheet were specifically held to be public information in Houston Chronicle v. City of Houston, 531 S.W.2d 177 (Tex. Civ. App. — Houston [14th Dist.] 1975), writ ref'd n.r.e. per curiam, 536 S.W.2d 559 (Tex. 1976).

See also Open Records Decision No. 127 (1976). Likewise, conviction information may be obtained from court records. We note additionally that providing compilations of the sort requested is the type of activity sought to be prohibited by 28 C.F.R., part 20. See Houston Chronicle, supra, at 188.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mark White", written in a cursive style.

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